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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,579	11/03/2000	Michael J. O'Phelan	279.271US1	6168
21186	7590	10/03/2003	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			FUQUA, SHAWNTINA T	
		ART UNIT	PAPER NUMBER	
		3742		

DATE MAILED: 10/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/706,579	O'PHELAN ET AL.	
Examiner	Art Unit		
Shawntina T. Fuqua	3742		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 11 September 2003 .

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 and 42-47 is/are pending in the application.

4a) Of the above claim(s) 11 is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-3,5-7,10,12,14-21,42,44,45 and 47 is/are rejected.

7) Claim(s) 4,8,9,13,43 and 46 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 03 February 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____ .
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6) Other: _____ .

DETAILED ACTION***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-7, 10, 12, 14-21, 42, 44-45, and 47 are rejected under 35

U.S.C. 102(e) as being anticipated by Johnson et al (US6212063).

Johnson et al discloses a capacitor comprising a case (Figures 9-10) having a feedthrough hole (142, 143), a capacitor stack (265), a coupling member (120, 125) having a base (Figures 9, 10) directly attached to the capacitor stack (Figure 11), and a portion partially extending through the feedthrough hole (11), the coupling member having a mounting section (Figures 9, 10, 11), a feedthrough conductor (130, 135) coupled to the mounting section (Figures 9, 10), a sealing member (140, 141) adjacent the feedthrough hole, the feedthrough hole is non-hermetically sealed (140, 141, 95, 100, Figures 9, 10), the base surface is butt-welded to a flat connection surface of the capacitor stack, the mounting section (52) comprises a hole (Figures 9, 10), the coupling member comprises an aluminum material and the feedthrough conductor comprises a non-aluminum material, the sealing member comprises an epoxy (column 4, lines 18-21), a coupling member having a first surface contacting the conductive surfaces of the capacitor element and second and third opposing surfaces contacting the feedthrough conductor and extending through the feedthrough hole wherein the first surface is

perpendicular to the second and third opposing surfaces (Figures 9, 10, 11), second and third opposing surfaces are curved (Figures 9, 10), the coupling member has a portion outside and a portion inside the case (Figures 9, 10) and is electrically conductive (column 31, lines 19-38, 45-53; column 32, lines 12-26, column 35, lines 22-63).

Allowable Subject Matter

3. Claims 4, 8-9, 13, 43, and 46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments with respect to claims 1-21, and 42-47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawntina T. Fuqua whose telephone number is (703) 305-2581. The examiner can normally be reached on Monday-Friday 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on (703) 308-1327. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.

stf

September 30, 2003

Shawntina Fuqua
Shawntina Fuqua
Patent Examiner
Art Unit 3742